

रजिस्टर्ड नं० पी० एस०एम० १४.



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

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शिमला, जनवार, 30 मार्च, 1974/9 चंत्र, 1896

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### GOVERNMENT OF HIMACHAL PRADESH LAW DEPARTMENT NOTIFICATIONS

*Simla-2, the 30th March, 1974*

No. LLR-D (6) 10/74.—The Himachal Pradesh Appropriation (Vote on Account) Bill, 1974 (Bill No. 2 of 1974) after having received the assent of the Governor, Himachal Pradesh on the 30th March, 1974, under Article 200 of the Constitution of India is hereby published in the Rajpatra, Himachal Pradesh as Act No. 11 of 1974.

T. R. HANNA,  
*Secretary.*

Act No. 11 of 1974.

## THE HIMACHAL PRADESH APPROPRIATION (VOTE ON ACCOUNT) ACT, 1974

AN

## ACT

*to provide for the withdrawal of certain sums from and out of the Consolidated Fund of the State of Himachal Pradesh for the services of a part of the financial year, 1974-75.*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-fifth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Himachal Pradesh Appropriation (Vote on Account) Act, 1974.

Withdrawal of Rs. 11,24,20,000 from and out of the Consolidated Fund of the State of Himachal Pradesh for the financial year, 1974-75

2. From and out of the Consolidated Fund of the State of Himachal Pradesh, there may be withdrawn sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of eleven crores, twenty-four lakhs, twenty thousand rupees towards defraying several charges which will come in course of payment during the financial year, 1974-75.

Appropriation.

3. The sums authorised to be withdrawn from and out of the Consolidated Fund of the State of Himachal Pradesh by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the period mentioned in section 2 of the Act.

**THE SCHEDULE**  
(See sections 2 and 3)

No. of Vote	Service and purposes	Sums not exceeding		Total
		Voted by the Legislative Assembly	Charged on the Consoli- dated Fund	
1	2	3	4	
1	Vidhan Sabha and Elections	2,46,000	4,000	2,50,000
2	Governor and Council of Ministers ..	1,60,000	52,000	2,12,000
3	Administration of Justice ..	2,50,000	79,000	3,29,000
4	General Administration ..	20,14,000	49,000	20,63,000
5	Land Revenue ..	11,80,000	—	11,80,000
6	Excise and Taxation ..	2,95,000	—	2,95,000
7	Police and Fire Protection ..	36,65,000	—	36,65,000
8	Education, Art and Cultural Affairs and Scientific Re- search ..	1,57,10,000	—	1,57,10,000
9	Medical and Family Planning	40,81,000	—	40,81,000
10	Public Works ..	1,27,00,000	—	1,27,00,000
11	Agriculture ..	56,23,000	—	56,23,000
12	Minor Irrigation ..	12,10,000	—	12,10,000
13	Soil and Water Conservation	14,43,000	—	14,43,000
14	Animal Husbandry and Dairy Development ..	14,77,000	—	14,77,000
15	Fisheries ..	1,08,000	—	1,08,000
16	Forest ..	56,33,000	—	56,33,000
17	Roads and Bridges ..	95,93,000	—	95,93,000
18	Supplies, Industries and Min- erals ..	8,97,000	—	8,97,000
19	Social Security, Welfare and Jails ..	8,14,000	—	8,14,000
20	Public Health, Sanitation and Water Supply ..	34,96,000	—	34,96,000
21	Community Development ..	19,11,000	—	19,11,000
22	Co-operation ..	9,58,000	—	9,58,000
23	Food and Nutrition ..	99,60,000	—	99,60,000
24	Water and Power Develop- ment ..	33,33,000	—	33,33,000
25	Irrigation, Navigation, Drain- age and Flood Control ..	1,48,000	—	1,48,000
26	Stationery and Printing ..	4,55,000	—	4,55,000
27	Road Transport ..	43,35,000	—	43,35,000
28	Tourism ..	2,73,000	—	2,73,000
29	Labour and Employment ..	3,83,000	—	3,83,000
30	Housing ..	12,48,000	—	12,48,000
31	Urban Development ..	2,16,000	—	2,16,000
32	Other Administrative Services	6,80,000	—	6,80,000
33	Finance ..	12,71,000	1,60,08,000	1,72,79,000
34	Loans to Government Servants	4,62,000	—	4,62,000
GRAND TOTAL ..		9,62,28,000	1,61,92,000	11,24,20,000

*Simla-2, the 30th March, 1974*

**No. LLR-D (6) 9/74.**—The Himachal Pradesh Appropriation Bill, 1974 (Bill No. 1 of 1974) after having received the assent of the Governor, Himachal Pradesh on the 30th March, 1974, under Article 200 of the Constitution of India, is hereby published in the Rajpatra, Himachal Pradesh, as Act No. 12 of 1974.

T. R. HANDA,  
*Secretary.*

**Act No. 12 of 1974.**

**THE HIMACHAL PRADESH APPROPRIATION ACT, 1974**

AN

ACT

*to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Himachal Pradesh for the services of the year ending on the 31st day of March, 1974.*

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-fifth Year of the Republic of India as follows:—

Short title.

1. This Act may be called the Himachal Pradesh Appropriation Act, 1974.

Issue of a  
further sum  
of Rs.  
1,51,16,785  
out of the  
Consolidated  
Fund of  
the State of  
Himachal  
Pradesh  
for the year,  
1973-74.

2. From and out of the Consolidated Fund of the State of Himachal Pradesh, there may be paid and applied further sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of one crore, fifty-one lakhs, sixteen thousand, seven hundred and eighty-five rupees towards defraying the charges which will come in course of payment during the financial year, 1973-74 in respect of the services specified in column 2 of the Schedule.

Appropria-  
tion.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of the State of Himachal Pradesh by this Act shall be further appropriated for the services and purposes expressed in the Schedule in relation to the period mentioned in section 2 of this Act.

## THE SCHEDULE

(See sections 2 and 3)

No. of Vote	Service and purposes	Voted by the Legis- lative Assembly	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	
1	2	3	4	
—	Interest on Debt and Other Obligations	..	— 49,00,000	49,00,000
5	General Administration	..	— 4,830	4,830
8	Miscellaneous Departments	.. 11,00,000	—	11,00,000
9	Education and Cultural Affairs	.. 30,00,000	—	30,00,000
13	Co-operation, Community Development and Housing	.. —	8,955	8,955
14	Industries and Labour	.. 3,000	—	3,000
18	Road and Water Transport Schemes	.. 17,00,000	—	17,00,000
19	Pensions and Other Retirement Benefits	.. 29,00,000	—	29,00,000
24	Capital Outlay on Schemes of Agricultural Improvement and Research	.. 15,00,000	—	15,00,000
<b>TOTAL</b>		<b>.. 1,02,03,000</b>	<b>49,13,785</b>	<b>1,51,16,785</b>

## EXCISE AND TAXATION DEPARTMENT

## NOTIFICATIONS

Simla-2, the 30th March, 1974

**No. 11-1/73-E&T-Sectt.**—In exercise of the powers conferred by sections 31 and 32 of the Punjab Excise Act (1 of 1914) as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh, is pleased to order the following further amendments in the Punjab Excise Fiscal Orders, 1932, as applied to the said territories, with effect from 1st April, 1974, dispensing with the necessity of prior publication, in the public interest:—

## AMENDMENTS

In the said orders:—

*Simla-2, the 30th March, 1974*

**No. 11-1/73-E&T (Sectt).**—In exercise of the powers conferred by sections 31, 32 and 58 of the Punjab Excise Act (1 of 1914), as applied to the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to order the following further amendment in the Himachal Pradesh Excise Fiscal Orders, 1965, with effect from 1st April, 1974, dispensing with the necessity of prior publication, in the public interest:—

## AMENDMENT

In the said orders:—

In order 7-A for the words "Rs. 10.00 per ten kilograms or less", the words "Rs. 20.00 per ten kilograms or less" shall be substituted.

Simla-2, the 30th March, 1974

Simit-2, the 30th March, 1974

No. 11-1/73-E&T(Sectt).—In exercise of the powers conferred by sections 31 and 32 of the Punjab Excise Act (1 of 1914) as applicable in the territories comprised in

Himachal Pradesh immediately before 1st November, 1966 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to order the following further amendments in the Himachal Pradesh Government (Excise and Taxation Department) notification No. 1-17/64-E&T, dated the 28th October, 1965, amended from time to time, with effect from 1st April, 1974, dispensing with the necessity of prior publication, in the public interest:—

### AMENDMENT

In the said notification:—

1. In item No. 2, for the words "Rs. 5.50" the words "Rs. 6.00" shall be substituted.

2. Para III shall be substituted as under:—

*"Rates of duty on Sweets":—*

(a) Sweets and Wines, containing proof spirit upto 20% Rs. 2.00 per bulk litre.

(b) Sweets and Wines, containing proof spirit above 20% but not exceeding 30% Rs. 3.00 per bulk litre

(c) Alcoholic cider Rs. 0.50 per bottle of 650 ml. capacity.

(d) Beer Rs. 0.65 per bottle of 650 ml.".

*Simla-2, the 30th March, 1974*

**No. 11-1/73-E&T-Sectt.**—In supersession of Himachal Pradesh Government notification No. R-35-79/49, dated the 28th December, 1949 and in exercise of the powers conferred under sections 24 and 58 of the Punjab Excise Act (1 of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to order the following amendment in the Himachal Pradesh Restaurant (Consumption of Liquor) Rules, 1949, with effect from 1st April, 1974, dispensing with necessity of prior publication, in the public interest:—

### AMENDMENT

In the said rules:—

For the existing rule 3 of the said rules, the following shall be substituted:—

"No person shall keep or have in his possession country liquor or foreign liquor in any quantity on any premises used as restaurant in any of the place in a town or village, unless such premises have been licensed for consumption of liquor under the said Act or rules made thereunder or unless a certificate of exemption has been granted in respect of such premises.

This shall have effect whether the quantity of liquor in the possession of a person is or is not in excess of the quantity declared by the State Government to be the limit of retail sale.".

*Simla-2, the 30th March, 1974*

**No. 11-1/73-E&T (Sectt).**—In exercise of the powers, conferred under sections 24 and 58 of the Punjab Excise Act (1 of 1914), as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and all

other powers enabling him in this behalf the Governor, Himachal Pradesh is pleased to order the following amendment in the Punjab Restaurant (Consumption of Liquor) Rules, 1955, with effect from 1st April, 1974, dispensing with necessity of prior publication, in the public interest:—

### AMENDMENT

For the existing rule 3 of the said rules, the following shall be substituted:—

“No person shall keep or have in his possession country liquor or foreign liquor in any quantity on any premises used as restaurant in any of the place in a town or village, unless such premises have been licensed for consumption of liquor under the said Act or rules made thereunder or unless a certificate of exemption in Form L-52 has been granted in respect of such premises.

This shall have effect whether the quantity of liquor in the possession of a person is or is not in excess of the quantity declared by the State Government to be the limit of retail sale.”.

*Simla-2, the 30th March, 1974*

**No. 11-1/73-E&T (Sectt.).**—In exercise of the powers conferred by sections 5, 24 and 58 of the Punjab Excise Act (1 of 1914), as applied to the areas comprised in Himachal Pradesh immediately before the 1st November, 1966 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to make the following amendment in the Himachal Pradesh Intoxicants Licence and Sale Orders, 1965, as applicable in the said areas, with effect from 1st April, 1974, dispensing with the necessity of prior publication:—

### AMENDMENT

In the said orders:—

Item No. (8) of order 2 shall be substituted as under:—

“(8) Denatured spirit—one bottle of 650 ml.”.

*Simla-2, the 30th March, 1974*

**No. 11-1/73-E&T (Sectt.).**—In exercise of the powers conferred by sections 5, 24 and 58 of the Punjab Excise Act (1 of 1914), as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to order the following amendment in the Punjab Intoxicants Licence and Sale Orders, 1956, applicable in the said territories, with effect from 1st April, 1974, dispensing with the necessity of prior publication, in the public interest:—

### AMENDMENT

In the said orders:—

For Item No. (6) of order I of the said orders, the following shall be substituted:—

“(6) Denatured spirit—one bottle of 650 ml.

Any sale of larger quantity shall be deemed to be sale by wholesale.”.

P. K. MATTOO,  
*Secretary.*

*Simla-4, the 30th March, 1974*

**No. 7-6/74 E&T.**—In exercise of the powers conferred under sections 6 & 59 of the Punjab Excise Act (1 of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under Section 9 of the said Act, read with the Himachal Pradesh Excise(Powers and Appeal) Orders, 1965, I, Jit Ram, excise & Taxation Commissioner, Himachal Pradesh, hereby direct that all the liquor vends throughout the State of Himachal Pradesh shall remain closed on 13th September, 1974, on account of Bhagwan Mahavir's Nirvan day.

*Simla-4, the 30th March, 1974*

**No. 7-6/74 E&T.**—In exercise of the powers conferred under sections 6 and 59 of the Punjab Excise Act (1 of 1914), as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act (31 of 1966) and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Punjab Excise (Powers and Appeal) Orders, 1956, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh hereby order that all the liquor vends throughout the State of Himachal Pradesh shall remain closed on 13th September, 1974, on account of Bhagwan Mahavir's Nirvan Day.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by sections 21 and 59 of the Punjab Excise Act (1 of 1914), as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966) and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Punjab Excise (Powers and Appeal) Orders, 1956, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendment shall be made in the Punjab Distillery Rules, 1932, as in force in the said territories, with effect from 1st April, 1974:—

#### AMENDMENT

In the said rules:—

Rule 5 of the said rules shall be substituted as under:—

“5. The licence shall be in form D-2 and shall be renewable on payment of renewal fee of Rs. 1,000.00 per year. It shall not be transferable except with the sanction of the Financial Commissioner.”

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by sections 21 and 59 of the Punjab Excise Act (1 of 1914), as applicable in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Himachal Pradesh Excise (Powers and Appeal) Orders, 1965, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Distillery Rules, 1932, applicable in the said areas, with effect from 1st April, 1974:—

## AMENDMENT

In the said rules:—

Rule 9.5 of the said Rules shall be substituted as under:—

“9.5. The Licence shall be in Form D-2 and shall be renewable on payment of renewal fee of Rs. 1,000.00 per year. It shall not be transferable except with the sanction of the Financial Commissioner.”.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by clause (f) (iii) of section 59 of the Punjab Excise Act (1 of 1914) as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with Punjab Excise (Powers and Appeal) Orders, 1956, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby fix the minimum prices of Indian Made Foreign Spirit as under below which it shall not be sold, supplied or possessed, with effect from 1st April, 1974:—

Quart. Rs. 18.00 per bottle.

Pint. Rs. 9.60 per bottle.

Nip. Rs. 6.00 per bottle.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by clause (f) (iii) of section 59 of the Punjab Excise Act (1 of 1914), as applicable to the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Himachal Pradesh Excise (Powers and Appeal) Orders, 1965, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby fix the minimum prices of Indian Made Foreign Spirit as under below which it shall not be sold, supplied or possessed with effect from 1st April, 1974:—

Quart. Rs. 18.00 per bottle.

Pint. Rs. 9.60 per bottle.

Nip. Rs. 6.00 per bottle.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by sections 21 and 59 of the Punjab Excise Act (1 of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966, and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Himachal Pradesh Excise (Powers and Appeal) Orders, 1965, I, Jit Ram, Excise and Taxation Commissioner, hereby direct that the following amendments shall be made in the Punjab Brewery Rules, 1932, as applicable to the said areas, with effect from 1st April, 1974:—

## AMENDMENTS

In the said rules:—

(1) Rule 10.5 shall be substituted as under:—

“10.5 No licence shall be granted unless and until the applicant thereof has:—

(a) deposited a sum of Rs. 25,000.00 in cash as licence fee;

- (b) deposited as security in cash or in National Savings Certificates for the fulfilment of all the conditions of his licence a sum to be fixed by the Financial Commissioner which shall not be less than Rs. 2,000.00 or more than Rs. 5,000.00; and
- (c) satisfied the Collector that the proposed buildings, plant and apparatus to be used in connection with the business of brewing, storage and issue of beer are built in accordance with the prescribed regulations and that due precautions has been taken against fire.”.

(2) Rule 10.7 shall be substituted as under:—  
“10.7 the licence shall be in form B.1 and renewable on payment of Rs. 500.00 per year as renewal fee. It is not transferable except with the sanction of the Financial Commissioner.”.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by sections 21 and 59 of the Punjab Excise Act (1 of 1914), as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 (31 of 1966) and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Punjab Excise (Power and Appeal) Orders, 1956, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Brewery Rules, 1956, as in force in the said areas, with effect from 1st April, 1974:—

### AMENDMENTS

In the said rules—

- (1) Rule 5 of the said rules shall be substituted as under:—  
“5. No licence shall be granted unless and until the applicant there of has:—  
(a) deposited a sum of Rs. 25,000.00 in cash as licence fee;  
(b) deposited as security in cash or in National Savings Certificates for the fulfilment of all the conditions of his licence a sum to be fixed by the Financial Commissioner which shall not be less than Rs. 2,000.00 or more than Rs. 5,000.00; and  
(c) satisfied the Collector that the proposed buildings, plant and apparatus to be used in connection with the business of brewing, storage and issue of beer are built in accordance with the prescribed regulations and that due precaution has been taken against fire.”.
- (2) Rule 7 of the said rules shall be substituted as under:—  
“7. the licence shall be in Form B.1 and renewable on payment of Rs. 500 per year as renewal fee. It is not transferable except with the sanction of the Financial Commissioner.”.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by section 59 of the Punjab Excise Act (1 of 1914), as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Punjab Excise (Power and Appeal) Orders, 1956, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following

amendments shall be made in the Punjab Liquor Licence Rules, 1956, as in force in the said territories, with immediate effect:—

### AMENDMENTS

In the said rules:—

(1) Sub rule (23) of Rule 36 shall be substituted as under:—

“A person to whom a shop has been sold shall pay one-tenth of the annual licence fee within seven days of the auction (any deposit already made shall be taken into account, and any excess shall be either returned to him or credited to future payments), which for all intents and purposes, shall be treated as security for fulfilment of the terms and conditions of the licence and compliance with the provisions of the Excise Act, and the Rules. If the Presiding Officer is not satisfied as to identity and financial position of the bidders, the presiding Officer/Collector may demand 1/10th of the bid money being paid at once on the fall of hammer, or satisfactory security in the form of bank draft, surety of a respectable person or hypothecation of immovable property situated within Himachal Pradesh being furnished to the satisfaction of the Presiding Officer/Collector. Every person to whom a shop has been sold, shall pay balance in nine equal monthly instalments by the seventh of each month commencing from the month in which he begins his business. If the total amount is less than Rs. 100 it shall be payable in one sum unless the Collector for special reasons, allows payment to be made by instalments. If any person, whose bid has been accepted by the Presiding Officer at the auction fails to make the deposit of 1/10th of annual fee or if he refuses to accept the licence, the Collector may resell the licence either by public auction or private contract, and any deficiency in price and all expenses for such resale or attempted resale shall be recoverable from defaulting bidder in the manner laid down in Section 60 of the Punjab Excise Act, in addition to the interest thereon @6% per annum shall be chargeable.”.

(2) Sub-rule (24) of Rule 36 shall be substituted as under:—

“When a licence has been cancelled, the Collector may resell it by public auction or private contract and any deficiency in price and all expenses of such resale or attempted resale, after adjustment of the 1/10th of security deposited by the licences in accordance with the provisions of sub-rule (23), shall be recoverable from the defaulting licences in the manner laid down in section 60 of the Excise Act. The licence shall be disposed of for a fixed sum. A literage rate shall not be accepted. —

The Collector shall communicate the result of such resale in a statement in Form M. 16 to the Financial Commissioner in the same manner as the ordinary auction results. On the Financial Commissioner's orders being received, the Excise and Taxation Officer/Assistant Excise and Taxation Officer, holding the charge of the district, shall communicate the change in the list of licenses to the Superintendent of Police of his district and to the manager of any distillery to whom a list of such licences has been supplied already.

If the amount realised from the original licensee, including the initial deposit of one-tenth of the licence fee as security, and the amount of bid by the incoming licensee; together with the expenses, if any, of resale the

deficiency must be recovered from the original licensee. If these amounts together are more than the amount previously bid, no refund shall be made to the original licensee.”.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by section 59 of the Punjab Excise Act (1 of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with Himachal Pradesh Excise (Powers and Appeal) Orders, 1965, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Liquor Licence Rules, 1932, as in force in the said areas, with immediate effect:—

### AMENDMENTS

In the said rules:—

(1) Sub-Rule (21) of Rule 5.38 shall be substituted as under:—

“A person to whom a shop has been sold shall pay one-tenth of the annual licence fee within seven days of the auction (any deposit already made shall be taken into account, and any excess shall be either returned to him or credited to future payments), which for all intents and purposes, shall be treated as security for fulfilment of the terms and conditions of the licence and compliance with the provisions of the Excise Act and the Rules. If the Presiding Officer is not satisfied as to identity and financial position of the bidder, the Presiding Officer/Collector may demand 1/10th of the bid money being paid at once on the fall of hammer or satisfactory security in the form of bank draft, surety of a respectable person or hypothecation of immovable property situated within Himachal Pradesh being furnished to the satisfaction of the Presiding Officer/Collector. Every person to whom a shop has been sold, shall pay balance in nine equal monthly instalments by the seventh of the each month commencing from the month in which he begins his business. If the total amount is less than Rs. 100.00, it shall be payable in one sum unless the Collector for special reasons, allow payment to be made by instalments. If any person, whose bid has been accepted by the Presiding Officer, at the auction fails to make the deposit of 1/10th of annual fee or if he refuses to accept the licence, the Collector may resell the licence either by public auction or private contract, and any deficiency in price and all expenses for such resale or attempted resale shall be recoverable from defaulting bidder in the manner laid down in section 60 of the Punjab Excise Act, in addition to the interest thereon @6% per annum shall be chargeable.”.

(2) Sub-Rule (22) of Rule 5.38 shall be substituted as under:—

“When a licence has been cancelled, the Collector may resell it by public auction or private contract and any deficiency in price and all expenses of such resale or attempted resale, after adjustment of 1/10th of security deposited by the licensee in accordance with the provisions of sub-rule (21) shall be recoverable from the defaulting licensee in the manner laid down in section 60 of the Excise Act. The licensee shall be disposed of for a fixed sum. A literage rate shall not be acceptable.

The Collector shall communicate the result of such resale in a statement in Form M-16 to the Financial Commissioner in the same manner as the ordinary auction results. On the Financial Commissioner's orders being received, the Excise and Taxation Officer/Assistant Excise and Taxation Officer, holding the charge of the district, shall communicate the change in the list of licensees to the Superintendent of Police of his district and to the manager of any distillery to whom a list of such licensee has been supplied already.

If the amount realised from the original licensee, including the initial deposit of one-tenth of the licence fee as security, and the amount of bid by the incoming licensee; together with the expenses, if any, of resale the deficiency must be recovered from the original licensee. If these amounts together are more than the amount previously bid, no refund shall be made to the original licensee.”.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by section 59 of the Punjab Excise Act (1 of 1914), as in force in the areas comprised in Himachal Pradesh immediately before 1st November, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Himachal Pradesh Excise Powers and Appeal) Orders, 1965, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Liquor Licence Rules, 1932, as in force in the said territories, with effect from 1st April, 1974:—

#### AMENDMENTS

In the said rules:

1. In sub-rule (2) of Rule 5.27-A, the words “Rs. 1.00” occurring before the word “per bulk litre”, shall be substituted by the words “Rs. 2.00”.
2. In Rule 31, the existing rate of assessed fee “Rs. 0.40” for L-12-C licences in respect of Indian Made Beer, Cider etc. shall be substituted by “Rs. 0.50”.

*Simla-4, the 30th March, 1974*

**No. 7-6/74-E&T.**—In exercise of the powers conferred by section 59 of the Punjab Excise Act (1 of 1914), as in force in the territories transferred to Himachal Pradesh under section 5 of the Punjab Re-organisation Act, 1966 and by virtue of the powers of the Financial Commissioner conferred on me under section 9 of the said Act, read with the Punjab Excise (Powers and Appeal) Orders, 1956, I, Jit Ram, Excise and Taxation Commissioner, Himachal Pradesh, hereby direct that the following amendments shall be made in the Punjab Liquor Licence Rules, 1956, as in force in the said territories, with effect from 1st April, 1974:—

#### AMENDMENTS

In the said rules:—

- (1) In Sub-rule (2) of Rule 27, the words “Rs. 1.00” occurring before the words “per bulk litre”, shall be substituted by the words “Rs. 2.00”.
- (2) In Rule 31, the existing rate of assessed fee “Rs. 0.40” for L-12-C licences in respect of Indian Made Beer, Cider etc., shall be substituted by “Rs. 0.50”.

JIT RAM,  
*Excise and Taxatio Commissioner.*

## TRANSPORT DEPARTMENT

## NOTIFICATIONS

Simla-2, the 30th March, 1974

No. 22-3/69-Tpt. (II).—In supersession of this Department notifications of even number dated the 28th August, 1970 and 24th January, 1972 and in exercise of the powers conferred by sub-section (i) of section 43 of the Motor Vehicles Act, 1939 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh proposes to issue to the State Transport Authority of Himachal Pradesh the following directions regarding fixation of fare and freight rates in the areas added to Himachal Pradesh on 1st November, 1966, under section 5 of the Punjab Re-organisation Act, 1966, and publish the same as required by the proviso to the aforesaid sub-section for the information of persons likely to be affected thereby.

2. Notice is hereby given that the draft will be taken into consideration by the Government on or after the expiry of one month from its publication in the Himachal Pradesh Rajpatra together with any objection/suggestion, which may be received by the Secretary to the Government of Himachal Pradesh, Transport Department, Simla-2 in respect of the draft before the expiry of the specified period.

## DRAFT DIRECTIONS

The State Transport Authority shall ensure that the following rates of fare and freight for stage carriages are fixed in the areas mentioned above:—

## STAGE CARRIAGE

## A—HILL RORDS

(i) (a) All roads in Kinnaur district	} 8 paise per passenger per km.
(b) Nogli-Nirmand road in Kulu district	
(c) All roads in Lahaul and Spiti district (excluding portion of Pathankot-Manali route)	
(d) Manali-Rahla road	
(ii) All metalled/unmetalled roads other than those shown at serial No. (i) above	6.5 paise per passenger per km.

## B—ROADS IN PLAINS

All metalled/unmetalled roads	3.25 paise per passenger per km.
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## C—FREIGHT

Freight rate for personal luggage or other goods when carried in stage carriages.	0.83 times of the fare per quintal per km.
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Simla-2, the 30th March, 1974

No. 22-3/69-Tpt. (I).—In supersession of this Department notification of even number, dated the 28th August, 1970 and 24th January, 1972 and in exercise of the powers conferred by sub-section (1) of section 43 of the Motor Vehicles Act, 1939 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh proposes to issue to the State Transport Authority of Himachal Pradesh the following directions regarding fixation of fare and freight rates in the areas of Himachal Pradesh,

as existed before, 1st November, 1966 and published the same, as required by the proviso to the aforesaid sub-section for the information of persons likely to be affected thereby.

2. Notice is hereby given that the draft will be taken into consideration by the Government on or after the expiry of one month from its publication in the Himachal Pradesh "Rajpatra" together with any objection/suggestion, which may be received by the Secretary to the Government of Himachal Pradesh, Transport Department, Shimla-2 in respect of the draft before the expiry of the specified period.

### DRAFT DIRECTIONS

The State Transport Authority shall ensure that the following rates of fare and freight for stage carriages are fixed in the areas mentioned above:—

#### STAGE CARRIAGE

##### A—HILL ROADS

<ul style="list-style-type: none"> <li>(i) (a) All roads in Kinnaur district</li> <li>(b) Nogli-Nirmand road in Kulu district</li> <li>(c) All roads in Lahaul and Spiti district (excluding portion of Pathankot-Manali route)</li> <li>(d) Manali-Rahla road</li> </ul>	8 paise per passenger per km.
<ul style="list-style-type: none"> <li>(ii) All metalled/unmetalled roads other than those shown at serial No. (i) above.</li> </ul>	6.5 paise per passenger per km.

##### B—ROADS IN PLAINS

All metalled/unmetalled roads	3.25 paise per passenger per km.
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##### C—FREIGHT

Freight rate for personal luggage or other goods when carried in stage carriages.	0.83 times of the fare per quintal per km.
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By order,  
GANGESH MISRA,  
Secretary.